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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/824,900	04/02/2001	Kenneth H. Abbott	294438011US1	1607

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EXAMINER

CORRIELUS, JEAN M

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 02/25/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/824,900

Applicant(s)

ABBOTT ET AL.

Examiner

Jean M Corrielus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 61-66 and 70-132 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 61-66 and 110-132 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's arguments with respect to claim 61-66 and 70-132 have been considered but are moot in view of the new ground(s) of rejection necessitated by amendment.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 61-66 and 70-75, 78-80 and 86-132 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mangat US Patent no 6,081,814 in view of Dharap US Patent no. 6,256,633. As to claim 61, Mangat discloses the claimed "a search criteria generator configured to generate search criteria corresponding to a user search request" the query generator is preferably adapted to construct appropriate customized queries based on the particular search entry made by the user (col.19, lines 10-18), "wherein the search criteria generator is coupled to receive a user search request via one or more input device" the user may enter a search query as a search entry, where the search entry will be transmitted to the topics dictionary, where the search query is matched to relevant topic categories that may have been generated by the relevance engine based on the information regarding the user (col.22, lines 23-55). Mangat does not explicitly disclose the use of a characterization module configured to characterize a user's context and further coupled to receive the user's context from the characterization module. Mangat, however, discloses a query generator may be implemented in a variety of configuration for searching catalogs to identify

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entries corresponding to particular reference environments and capable to search over a network through multiple environment for a document (col.10, lines 3-12; col.17, lines 10-25; col.23, lines 35-67). Dharap, on the other hand, discloses a characterization module to characterize user context and couple the user's context from the characterization module" as a user's profile, wherein the profile is based on the information supplied by the user in advance and a history of previous accesses from the user to the database (col.4, lines 44-65). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references. One having ordinary skill in the would have found it motivation to incorporate the use of a characterization module to characterize user's context and couple the user's context to the characterization module into the query generator provided therein (see Mandat's fig.3, item 114) because that would provide Mandat's system the enhanced capability of enabling user to query an electronic document base based on the characterization of the user's context.

As to claim 62, Mangat discloses the claimed " wherein the characterization module is configured to characterize the user's context based on input received from a plurality of sensors, wherein the plurality of sensors sense one or more of: the user's physical environment, the user's mental environment, the user's computing environment, and the user's data environment" (col.10, lines 3-12; col.17, lines 10-25; col.26, lines 11-20 and lines 43-47).

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As to claim 63, Mangat discloses the claimed “a characterization module configured to characterize a user context, wherein the users context comprises physical environment information pertaining to one or more of: the user's present location and the current time and a search criteria generator configured to generate search criteria responding to a user search request, wherein the search criteria is coupled to receive user search request via one or more input devices, and further coupled to receive the user's context from the characterization module” (col.22, lines 23-55; col.col.23, lines 35-67).

As to claim 64, Mangat discloses the claimed “ wherein the user's context comprises mental environment information pertaining to one or more of, the user likely intentions, the user's preferences, and the user's current attention” (col.10, lines 3-12; col.17, lines 10-25).

As to claim 65, Mangat discloses the claimed “wherein the user's context comprises computing environment information pertaining to one or more of: computing capabilities of a client computer being used by the user, available I/O devices of the client, processing capabilities of the client, and available storage space on the client” (col.24, lines 22-54).

As to claim 66, Mangat discloses the claimed “wherein the user's context comprises data environment information pertaining to data and software resources on a client computer being used by the user” as a browser (col.25, lines 10-48).

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As to claim 70, Dharap discloses the claimed “wherein the characterizing of the users context by the characterization module, includes automatically sensing a current context of the user that is independent of a present computing task of the user” information about the user’s current context, such as the user’s activity history in the immediate past, the user’s current goals, as well as the current web page, wherein the information presented is personalized to the user’s current profile and the context of the user’s browsing activities, thus resulting in more relevant information that what can be gleaned from the web, and wherein the information sorted and categorized within the user profile used by the query generator to construct the queries, once all the available information is collected, the query generator constructs a plurality of queries based on the relevant information, and the queries are properly formatted for each web site for which the query is intended (col.2, lines 22-42; col.4, lines 8-12).

As to claim 71, Dharap discloses the claimed “wherein the receiving of the user search request is based on the user generating a search query, and wherein the characterizing of the user's context by the characterization module includes automatically sensing a current context of the user that is independent of the generating of the search query by the user” information about the user’s current context, such as the user’s activity history in the immediate past, the user’s current goals, as well as the current web page, wherein the information presented is personalized to the user’s current profile and the context of the user’s browsing activities, thus resulting in more relevant information that what can be gleaned from the web, and wherein the information sorted and categorized within the user profile used by the query generator to construct the queries, once all the available information is collected, the query generator constructs a plurality of queries based

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on the relevant information, and the queries are properly formatted for each web site for which the query is intended (col.2, lines 22-42; col.4, lines 8-12).

As to claim 72, Mangat discloses the claimed “wherein the search criteria generator is part of an information solicitation management component of the system, and wherein the information solicitation management component is further configured to send the generated search criteria to one or more information sources and to receive information from the information sources corresponding to the sent search criteria” (col.9, lines 40-60).

As to claim 73, Mangat discloses the claimed “ wherein the information solicitation management component is further configured to provide to the user a version of the received information that is filtered based upon a current” (col.9, lines 40-60).

As to claim 74, Dharap discloses the claimed “wherein the information solicitation Management component is further configured to perform the filtering of the received information, and wherein the current context is the current context of the user as characterized by the characterization module” (col.2, lines 22-42; col.4, lines 8-12).

As to claim 75, Dharap discloses the claimed “wherein the current context is the characterized context of the user, and wherein the received information is filtered remotely” (col.2, lines 22-42; col.4, lines 8-12).

As to claim 78, Mangat discloses the claimed “wherein the information sources include one or more databases(col.10, lines 3-12; col.17, lines 10-25).

As to claim 79, Mangat discloses the claimed “wherein the information sources include one or more search engines (col.10, lines 3-12; col.17, lines 10-25).

As to claim 80, Mangat discloses the claimed “wherein the system further comprises at least some of the information sources, and wherein those information sources are configured to further obtain information from one or more additional external information Sources” (col.10, lines 3-12; col.17, lines 10-25).

As to claim 86, Mangat discloses the claimed “wherein the system includes a module that identifies results information corresponding to the generated search criteria and that presents the results information to the user” (col.10, lines 3-12; col.17, lines 10-25).

As to claim 87, Dharap discloses the claimed “wherein the search criteria generator is further configured to base the generating of the search criteria on a characterized current context of the user” (col.2, lines 22-42; col.4, lines 8-12).

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As to claim 88, Dharap discloses the claimed “wherein the search criteria generator is further, configured to base the generating of the search criteria on a characterized past context of the user” (col.2, lines 22-42; col.4, lines 8-12).

As to claim 89, Dharap discloses the claimed “wherein the search criteria generator is further configured to suggest search criteria for the user's search request based upon the characterized user's context” (col.2, lines 22-42; col.4, lines 8-12).

As to claim 90, Dharap discloses the claimed “wherein the search criteria generator is further configured to, prior to receiving the search request from the user, suggest search parameters to the user for the user's search request based upon the characterized user's context” (col.2, lines 22-42; col.4, lines 8-12).

As to claim 91, Dharap discloses the claimed “wherein the search criteria generator is further configured to restrict the search request that the user can provide based upon the characterized users context” (col.2, lines 22-42; col.4, lines 8-12).

As to claim 92, Dharap discloses the claimed “wherein the search criteria generator is further configured to disregard the characterized user's context during the generating of the search criteria based upon results from prior generating of search criteda” (col.2, lines 22-42; col.4, lines 8-12).

As to claim 93, Mangat discloses the claimed “wherein the search criteria generator is further configured to generate the search criteria by amending search criteda of the search request provided by the user” (col.10, lines 3-12; col.17, lines 10-25).

As to claim 94, Mangat discloses the claimed “wherein the search criteria generator is further configured to operate automatically without user intervention” (col.10, lines 3-12; col.17, lines 10-25).

As to claim 95, Mangat discloses the claimed “wherein the search criteria generator is further configured to operate in response to an explicit command by the user” (col.10, lines 3-12; col.17, lines 10-25).

As to claim 96, Mangat discloses the claimed “wherein the system further comprises a first computing device on which the characterization module resides and a second distinct computing device on which the search criteria generator resides” (col.10, lines 3-12; col.17, lines 10-25).

As to claim 97, Mangat discloses the claimed “wherein the system further comprises a body-wom computing device on which the characterization module resides” (col.10, lines 3-12; col.17, lines 10-25).

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As to claim 98, Mangat discloses the claimed “wherein the system further comprises a body-worn computing device on which the search criteria generator resides” (col.10, lines 3-12; col.17, lines 10-25).

As to claim 99, Mangat discloses the claimed “wherein the system further Comprises a computing device on which the characterization module resides that is remote from the user” (col.10, lines 3-12; col.17, lines 10-25).

As to claim 100, Mangat discloses the claimed “wherein the system further comprises a computing device on which the search criteria generator resides that is remote from the user” (col.10, lines 3-12; col.17, lines 10-25).

As to claim 101, Mangat discloses the claimed “wherein one or more of the one or more input devices are connected to a computing device remote from the system” (col.10, lines 3-12; col.17, lines 10-25).

As to claim 102, Mangat discloses the claimed “wherein the system is a mobile computing device” (col.10, lines 3-12; col.17, lines 10-25).

As to claim 103, Dharap discloses the claimed “wherein including sensors able to sense information about a user's context” (col.2, lines 22-42; col.4, lines 8-12).

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As to claim 104, Mangat discloses the claimed “wherein the sensors are attached to a computing device local to the user” (col.10, lines 3-12; col.17, lines 10-25).

As to claim 105, Mangat discloses the claimed “wherein the sensors are remote from the user” (col.10, lines 3-12; col.17, lines 10-25).

As to claim 106, Dharap discloses the claimed “wherein the search criteria generator is further configured to use privacy information associated with the user's context during the generating of the search criteria” (col.2, lines 22-42; col.4, lines 8-12).

As to claim 107, Dharap discloses the claimed “wherein the search criteria generator is further configured to use security information associated with the User's Context during the generating of the search criteria” (col.2, lines 22-42; col.4, lines 8-12).

As to claim 108, Dharap discloses the claimed “wherein the using of the security information includes determining one or more elements of the user's context to exclude from the generated search criteria” (col.2, lines 22-42; col.4, lines 8-12).

As to claim 109, Dharap discloses the claimed “wherein the characterization module is further configured to characterize the context of the user continuously” (col.2, lines 22-42; col.4, lines 8-12).

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As to claim 110-132:

The limitations of claims 110-132 have noted in the rejection of claims 61-66 and 72-75, 78-80 and 86-109 above. They are, therefore, rejected under the same rationale.

4. Claims 76-77 and 81-85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mangat in view Dharap as applied to claims 61-66 and 72-75, 78-80 and 86-109 above, and further in view of Dedrick US Patent no. 5,710,884.

As to claim 76, Mangat and Dharap disclose substantially the invention as claimed. However, Mangat and Dharap do not explicitly disclose the use of “wherein the search criteria generator is further configured to identify demographic data for the user and to base the generating of the search criteria at least in part on the demographic data”.

Dedrick, on the other hand, the claimed “wherein the search criteria generator is further configured to identify demographic data for the user and to base the generating of the search criteria at least in part on the demographic data.” (col.3, lines 50-67; col.4, line 37-67; col.6, line 50-col.11). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references. One having ordinary skill in the would have found it motivation to incorporate the teachings Dedrick into Mangat and Dharap’s combined system because that would provide Mangat and Dharap’s combined system the enhanced capability of automatically changing the residence of the electronic document.

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As to claim 77, Dedrick discloses the claimed “wherein the search criteria generator is further configured to identify demographic data for the user, and wherein the information solicitation management component is further configured to use the demographic data to further enhance appropriateness of the received information” (col.3, lines 50-67; col.4, line 37-67; col.6, line 50-col.11).

As to claim 81, Dedrick discloses the claimed “wherein the received information includes advertising” (col.3, lines 50-67; col.4, line 37-67; col.6, line 50-col.11).

As to claim 82, Dedrick discloses the claimed “wherein the received information includes product information” (col.3, lines 50-67; col.4, line 37-67; col.6, line 50-col.11).

As to claim 83, Dedrick discloses the claimed “wherein the received information includes data from a database” (col.3, lines 50-67; col.4, line 37-67; col.6, line 50-col.11).

As to claim 84, Dedrick discloses the claimed “wherein the system includes a network interface, and wherein the information solicitation management component is further configured to performing the sending of the generated search criteria over a computer network via the network interface” (col.3, lines 50-67; col.4, line 37-67; col.6, line 50-col.11).

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As to claim 85, Dedrick discloses the claimed "wherein the network interface is coupled to a wireless network" (col.3, lines 50-67; col.4, line 37-67; col.6, line 50-col.11).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (703) 306-3035. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on 1703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jean M. Corrielus

Primary Examiner

February 6, 2004